

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

STATE OF LOUISIANA ET AL

CASE NO. 2:21-CV-00778

VERSUS

JUDGE TERRY A. DOUGHTY

JOSEPH R BIDEN JR ET AL

MAG. JUDGE KATHLEEN KAY

MEMORANDUM ORDER

Plaintiffs filed this Cause of Action [Doc. No. 1] alleging that Defendant, President Joseph R. Biden, Jr., issued Executive Order 14008 on January 27, 2021, which, among other things, imposed a moratorium on all oil and natural gas leasing activities on public lands and offshore water. Plaintiffs seek the following relief:

- (1) a declaratory judgment holding that the Leasing Moratoriums are contrary to the Outer Continental Shelf Lands Act (“OCSLA”) and the Mineral Leasing Act (“MLA”);
- (2) a declaratory judgment holding that the Leasing Moratoriums are procedurally invalid under the Administrative Procedure Act (“APA”) because the agencies failed to promulgate them through proper notice-and-comment rulemaking procedures;
- (3) a declaratory judgment hold that the Leasing Moratoriums are arbitrary and capricious under the APA;
- (4) a declaratory injunction and permanent injunction finding the Leasing Moratoriums are invalid and setting them aside;
- (5) an injunction prohibiting the Bureau of Ocean Energy Management (“BOEM”), the Bureau of Land Management (“BLM”), or the Secretary of the Interior from taking any actions based on Section 208 of the Executive Order 14008 or any OCSLA or MLA Leasing Moratorium;
- (6) an order compelling the Defendants to proceed with leasing sales under OCSLA and the MLA as previously scheduled with reasonable allowance for the time lost due to their unlawful actions and resulting litigation; and

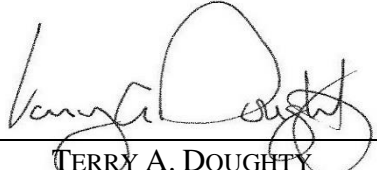
(7) all other relief to which Plaintiffs are entitled, including but not limited to attorneys' fees and costs.

[Doc. No. 1].

On March 31, 2021, Plaintiffs filed a Motion for Preliminary Injunction [Doc. No. 3]. However, as of this date, there is no evidence that Defendants have been served. Plaintiffs are seeking expedited consideration on their request for a preliminary injunction. Because of this, they should serve Defendants immediately. Further,

IT IS ORDERED that Plaintiffs make service of the Complaint and the Motion for Preliminary Injunction on all Defendants. Plaintiffs shall file proof of service into the record once service has been made on all Defendants. Defendants will have twenty-one (21) days to file opposition memorandums to the Motion for Preliminary Injunction once proof of service on all Defendants is filed into the record. Plaintiffs will have ten (10) days to reply after the last opposition memorandum is filed. The Court will then determine if an evidentiary hearing is necessary.

MONROE, LOUISIANA, this 1st day of April, 2021.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE